

Remarks

This amendment responds to the Office Action mailed March 21, 2007. Claims 2-4, 8-10, 13-14, 16, 20-21, 25, 31-32, 38-39, 45, 47, and 49-52 have been amended. Claims 2-5, 8-17, 20-25, 27-29, 31-34, 38-47, 49-52, 54-55, 57-58, and 60-61 are now pending in the application, of which claims 8, 21, 25, 38, 39, and 45 are presented in independent form. No new matter has been added. Reconsideration of the claims is respectfully requested.

Amendments to the Specification

Paragraph 0088 has been amended to correct a minor typographical error. No new matter has been added.

Allowable Subject Matter

Applicants note that claim 25 was deemed allowable if rewritten in independent form in the Office Action mailed September 13, 2005. Applicants wish to thank the Examiner for the reasons for the indication of allowable subject matter. Accordingly, claim 25 has been rewritten in independent form incorporating the limitations of the claims upon which it depended at that time. Thus, Applicants respectfully submit that claim 25 is allowable.

Claim Amendments

Independent claims 21, 38, 39, and 45 have been amended to include a “motion sensor.” Support for these amendments may be found throughout the specification and in particular at paragraphs 0077-0078, 0086, and 0088 (“A motion sensor may also be used to activate and deactivate the display...”). No new matter has been added.

Claim Rejections 35 U.S.C. § 103

Claims 1-4, 8, 10-17, 19-23, 32-33, 38-40, 44-45, 47, and 48-63 were rejected as obvious over U.S. Patent Application Publication No. 2001/0028301 to Geiger in view of U.S. Patent No. 5,836,051 to Myers. This rejection is respectfully traversed.

Geiger is directed to a shopping cart display unit which transmits information to a user. See Fig. 1, paragraph 0032. Geiger fails to teach or suggest all of the elements of the pending claims.

Regarding claim 8, the Examiner points to paragraph 0058 of Geiger as disclosing a motion sensor and timer. The cited portion of Geiger merely discusses displaying a given message for a set time when “the shopper is not using the display unit” by manipulating the controls of the unit.

Geiger does not teach or suggest the elements of independent claim 8. Geiger does not teach or suggest “a motion sensor configured to activate said display screen” as recited in claim 8.

Myers fails to remedy the deficiencies of Geiger. Myers is directed to a shopping cart display unit with a user interface (col. 2, lines 14-26 and col. 3, lines 1-8). Myers does not teach or suggest “a motion sensor configured to activate said display screen as recited in claim 8.

Geiger and Myers, alone or in any known combination, fail to teach or suggest “a motion sensor configured to activate said display screen” as recited in claim 8. Thus, claim 8 is not obvious over Geiger in view of Myers.

Dependent claims 2-5, 9-17, 20, and 49-51 ultimately depend from independent claim 8 and thus incorporate the limitations of claim 8. Because Geiger and Myers, alone or in any known combination, fail to teach or suggest “a motion sensor configured to activate said display screen” as recited in claim 8, claims 2-5, 9-17, 20, and 49-51 are not obvious over Geiger in view of Myers.

The combination of Geiger and Myers does not teach or suggest all of the elements of independent claim 21. In particular, the combination of Geiger and Myers fails to teach or suggest “a motion sensor to activate the display screen” as recited in claim 21. Thus, claim 21 is patentable over the combination of Geiger and Myers.

Dependent claims 22-24, 27-29, 31-32, 34, 52, and 54 ultimately depend from independent claim 21 and thus incorporate the limitations of claim 21. Because Geiger and Myers, alone or in any known combination, fail to teach or suggest “a motion sensor to activate the display screen” as recited in claim 21, claims 22-24, 27-29, 31-32, 34, 52, and 54 are not obvious over Geiger in view of Myers.

The combination of Geiger and Myers does not teach or suggest all of the elements of independent claim 38. In particular, the combination of Geiger and Myers fails to teach or suggest “a motion sensor to activate the display screen” as recited in claim 38. Thus, claim 38 is patentable over the combination of Geiger and Myers.

Dependent claims 55 and 57 ultimately depend from independent claim 38 and thus incorporate the limitations of claim 38. Because Geiger and Myers, alone or in any known combination, fail to teach or suggest “a motion sensor to activate the display

screen” as recited in claim 38, claims 55 and 57 are not obvious over Geiger in view of Myers.

The combination of Geiger and Myers does not teach or suggest all of the elements of independent claim 39. In particular, the combination of Geiger and Myers fails to teach or suggest “activating the display unit using a motion sensor” as recited in claim 38. Thus, claim 38 is patentable over the combination of Geiger and Myers.

Dependent claims 55 and 57 ultimately depend from independent claim 38 and thus incorporate the limitations of claim 38. Because Geiger and Myers, alone or in any known combination, fail to teach or suggest “activating the display unit using a motion sensor” as recited in claim 38, claims 55 and 57 are not obvious over Geiger in view of Myers.

The combination of Geiger and Myers does not teach or suggest all of the elements of independent claim 45. In particular, the combination of Geiger and Myers fails to teach or suggest “activating the display unit using a motion sensor” as recited in claim 45. Thus, claim 45 is patentable over the combination of Geiger and Myers.

Dependent claims 46, 47, 61, and 63 ultimately depend from independent claim 45 and thus incorporate the limitations of claim 45. Because Geiger and Myers, alone or in any known combination, fail to teach or suggest “activating the display unit using a motion sensor” as recited in claim 45, claims 46, 47, 61, and 63 are not obvious over Geiger in view of Myers.

Claims 5, 41-42, and 46 were rejected as obvious over Geiger in view of U.S. Patent Application Publication No. 2004/0117196 to Brockman et al. This rejection is respectfully traversed.

Brockman is directed to a delivery system for time-sensitive goods. Brockman fails to remedy the deficiencies of Geiger and Myers. Namely, Brockman fails to disclose a “motion sensor” used to activate a display as recited in independent claims 8, 21, 38, 39, and 45 of the present application. Thus, Geiger, Myers, and Brockman, alone or an any known combination, do not render the pending claims obvious.

There is no motivation to combine the delivery system of Brockman with the display unit of Geiger. Brockman is directed to tracking and controlling shipments while Geiger is directed to displaying information to a shopper. One skilled in the art would not be motivated to combine the tracking system of Brockman with the display system of Geiger.

Claim 26 was rejected as obvious over Geiger in view of U.S. Patent No. 6,373,884 to Byrns et al. This rejection is respectfully traversed.

Byrns is directed to a method and apparatus for transmitting data. Byrns fails to remedy the deficiencies of Geiger and Myers. Namely, Byrns fails to teach or suggest a “motion sensor” used to activate a display as recited in independent claims 8, 21, 38, 39, and 45 of the present application. Thus, Geiger, Myers, and Byrns, alone or an any known combination, do not render the pending claims obvious.

Claims 24, 27-29, and 31 were rejected as obvious over Geiger in view of U.S. Patent No. 5,963,650 to Simionescu et al. This rejection is respectfully traversed.

Simionescu is directed to a radio frequency communication system. Simionescu fails to remedy the deficiencies of Geiger and Myers. Namely, Simionescu fails to disclose a “motion sensor” used to activate a display as recited in independent claims 8, 21, 38, 39, and 45 of the present application. Thus, Geiger, Myers, and Simionescu, alone or an any known combination, do not render the pending claims obvious.

Conclusion

As Applicants assert that each of the rejections set forth in the Office Action have been fully met, favorable reconsideration and allowance are respectfully requested. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicants’ attorney at (973) 912-7177 in order to expedite allowance of the application.

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Respectfully submitted,

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